

The assistant legislative clerk proceeded to call the roll.

Mr. GREGG. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. GREGG. Mr. President, I ask unanimous consent that the vote on passage of H.R. 4755, the legislative branch appropriations bill, occur at 4:30 p.m.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. GREGG. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. REID. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Under the previous order, the question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed for a third reading and was read the third time.

The PRESIDING OFFICER. The bill is returned to the Senate calendar. Under the previous order, the Appropriations Committee is discharged from further consideration of H.R. 4755, the House-passed legislative branch appropriations bill, and the Senate will proceed to its immediate consideration.

The clerk will report the bill by title.

The assistant legislative clerk read as follows:

A bill (H.R. 4755) making appropriations for the Legislative Branch for the fiscal year ending September 30, 2005, and for other purposes.

The PRESIDING OFFICER. The text of the bill relating solely to the House shall remain. All other text is stricken and the text of the Senate bill, as amended, is inserted in lieu thereof.

The question is on the engrossment of the amendment and third reading of the bill.

The amendment was ordered to be engrossed, and the bill to be read a third time.

The bill was read the third time.

The PRESIDING OFFICER. Under the previous order, the question is, Shall the bill, H.R. 4755, as amended, pass?

Mr. DURBIN. I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The clerk will call the roll.

The assistant legislative clerk called the roll.

Mr. McCONNELL. I announce that the Senator from New Hampshire (Mr. SUNUNU) is necessarily absent.

Mr. REID. I announce that the Senator from Hawaii (Mr. AKAKA), the Senator from North Carolina (Mr.

EDWARDS), and the Senator from Massachusetts (Mr. KERRY) are necessarily absent.

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 94, nays 2, as follows:

[Rollcall Vote No. 186 Leg.]

YEAS—94

Alexander	Dole	Lugar
Allard	Domenici	McCain
Allen	Dorgan	McConnell
Baucus	Durbin	Mikulski
Bayh	Enzi	Miller
Bennett	Feingold	Murkowski
Biden	Feinstein	Murray
Bingaman	Fitzgerald	Nelson (FL)
Bond	Frist	Nelson (NE)
Boxer	Graham (FL)	Nickles
Breaux	Graham (SC)	Pryor
Brownback	Grassley	Reed
Bunning	Gregg	Reid
Burns	Hagel	Roberts
Byrd	Harkin	Rockefeller
Campbell	Hatch	Santorum
Cantwell	Hollings	Sarbanes
Carper	Hutchison	Schumer
Chafee	Inhofe	Sessions
Chambliss	Inouye	Shelby
Clinton	Jeffords	Smith
Cochran	Johnson	Snowe
Coleman	Kennedy	Specter
Collins	Kohl	Stabenow
Cornyn	Kyl	Stevens
Corzine	Landrieu	Talent
Craig	Lautenberg	Thomas
Crapo	Leahy	Voinovich
Daschle	Levin	Warner
Dayton	Lieberman	Wyden
DeWine	Lincoln	
Dodd	Lott	

NAYS—2

Conrad Ensign

NOT VOTING—4

Akaka Kerry
Edwards Sununu

The bill (H.R. 4755), as amended, was passed, as follows:

(The bill will be printed in a future edition of the RECORD.)

Mr. HARKIN. Mr. President, I move to reconsider the vote, and I move to lay that motion on the table.

The motion to lay on the table was agreed to.

The PRESIDING OFFICER. The Senator from Kansas is recognized.

MORNING BUSINESS

Mr. BROWNBACK. Mr. President, I ask unanimous consent that there now be a period for morning business with Senators permitted to speak therein for up to 10 minutes each.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. REID. Mr. President, a number of people wish to speak, Republicans and Democrats. I wonder if we can have a little order around here. I know Senator DURBIN wants to speak for up to half an hour, and Senator HARKIN wishes to speak. On our side, I wonder if we can get people queued in, and if Republicans want to come after we speak, that is fine.

How long does the Senator from Iowa need?

Mr. HARKIN. I need 5 minutes.

Mr. REID. On our side, I ask unanimous consent that Senator HARKIN be

recognized for 5 minutes, that Senator DURBIN be recognized for 30 minutes, and that the majority may have someone between Senators HARKIN and DURBIN, and we will balance out the time thereafter.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

The PRESIDING OFFICER. The Senator from Iowa is recognized for 5 minutes.

NOMINATION OF BISHOP GREGORY PALMER

Mr. HARKIN. Mr. President, I strongly support the nomination of Bishop Gregory Palmer to the Board of Directors of the United States Institute of Peace. It has now been over a year since Bishop Palmer was officially nominated on September 16, 2003. On that date, the Senate officially transmitted our paperwork to the White House.

The reason I recommended this distinguished spiritual leader for this important position at the U.S. Institute of Peace is that I strongly believe that Bishop Palmer would work to promote a just peace in the world. I don't think that there is anyone in this Chamber who would disagree that we need more advocates for peace in this time of international crisis.

I know Bishop Palmer well. He is a native of Philadelphia, PA. He graduated from The George Washington University and received a master's in divinity from Duke University. His father is a minister in Philadelphia.

Bishop Palmer came to Des Moines, IA, on September 1, 2000, and he has had a profound influence in our State ever since.

Bishop Palmer has had a distinguished career of service. He has taught at the pastor's school in Burundi, and serves on the Senegalese Task Force of the Global Ministries. He also served as President of the Interdenominational Ministerial Alliance.

In March of this year, Bishop Palmer received the 10th Annual Bishop Maurice J. Dingman Peace Award. This award recognized Bishop Palmer's commitment to peace and social justice. The award was presented by the Iowa Catholic Peace Ministry.

One of the ways Bishop Palmer has turned Scripture into deeds is by starting the Matthew 25 Ministry throughout Iowa. This ministry heeds the call of Matthew 25:31-46 to feed the hungry, clothe the naked, and care for the sick. Bishop Palmer has provided services to our Iowa communities most in need—from English classes for immigrants to soup kitchens for the hungry. These laudable acts, in my view, are the works of a man truly committed to fostering peace and social justice.

I could go on and on at great length about Bishop Palmer's good works, but I know that my floor time is limited. It is, however, very clear that Bishop Palmer would make an outstanding addition to the board of directors of the

U.S. Institute of Peace; therefore, I was deeply disappointed and surprised that Bishop Palmer's nomination to the U.S. Institute of Peace has been stalled at the White House for over a year now, and his name was not included in the nominations to be considered by the Committee on Health, Education, Labor, and Pensions.

I am hopeful that the White House will reconsider and send his nomination to the HELP Committee before Wednesday, tomorrow, when we are due to act upon other nominations. We have one nomination that has come down to be renominated to the U.S. Institute of Peace. I am certain this person will have no problem being renominated. But I was very surprised, as I said, and disappointed that Bishop Palmer's name, which has been at the White House for 1 year now—1 year his nomination has been sitting there, and I know of no opposition to Bishop Palmer. As I said, he is head of the Methodist Church for the entire State of Iowa. He is known nationally and internationally. I cannot think of a more qualified person to be on the board of the U.S. Institute of Peace.

I am quite upset with this, and I hope that the White House will reconsider this nomination. It would not take but just about half an hour to transmit his name here, and I wish they would do that before we meet tomorrow so we can report his name out and get Bishop Palmer on the board of directors as soon as possible.

Mr. President, I yield the floor.

Mr. REID. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. DURBIN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

ELECTION CONTEST

Mr. DURBIN. Mr. President, in the world of politics, every election seems to test the bottom when it comes to mudslinging. I am afraid this year's election contest is no exception, and it is plummeting hitherto uncharted depths.

Some of the things that have been said on both sides I am sure on reflection are going to be the source of some embarrassment, and some of the actions taken by both campaigns will be regretted in the future. But there is one particular element in this debate in the Presidential campaign that I find particularly bothersome. It relates to statements that have been made by Vice President CHENEY, by the Speaker of the House, DENNIS HASTERT, and by Members of the Senate, and others, relative to the patriotism of candidates for office and relative to questions as to whether the American people, by casting their vote one way or the other

on November 2, are somehow inviting terrorism to strike America.

Vice President CHENEY, at a political rally in Des Moines, IA, Tuesday, September 7, said:

It's absolutely essential that 8 weeks from today, on November 2, we make the right choice, because if we make the wrong choice, then the danger is that we'll get hit again and we'll be hit in a way that will be devastating from the standpoint of the United States. And we'll fall back into the pre-9/11 mindset, if you will, that in fact these terrorist attacks are just criminal acts and that we're not really at war.

This quote by the Vice President received a lot of attention. The clear suggestion by the Vice President is that if the American people should not vote for President Bush, they are inviting a terrorist attack. That is an outrageous statement. I think it is one that, frankly, Vice President CHENEY on reflection might not have made. Would it be appropriate to argue that since the terrorists attacked the United States while he was serving as Vice President, they saw weakness in the Bush-Cheney administration? I would not make that preposterous charge. I do not believe anyone can. And yet here we have the Vice President suggesting that if you do not vote to reelect President Bush, you are inviting a terrorist attack on the United States.

Just last Saturday in DeKalb, IL, the Speaker of the House, DENNIS HASTERT, was quoted as saying:

I don't have data or intelligence to tell me one thing or another, (but) I would think they would be more apt to go (for) somebody who would file a lawsuit with the World Court or something rather than respond with troops.

Speaker HASTERT said that of JOHN KERRY.

Asked by reporters whether he believed al-Qaida could operate better with KERRY in the White House, HASTERT replied:

That's my opinion, yes.

I think this is a new low in American politics. For us to suggest that either major political party would field a candidate who would in any way knowingly or unknowingly compromise the security and safety of the United States I believe is a charge that must be backed up with solid evidence if it is ever going to be leveled. In this case, Speaker HASTERT said, "I don't have data or intelligence to tell me one thing or another. . . ."

The reason I believe this is important is that when we reach the point in a campaign when the Vice President suggests that a vote for JOHN KERRY invites a terrorist attack on our country, and the Speaker of the House, after acknowledging he has no information to support his statement, joins Mr. CHENEY with the chorus of "vote for Bush or die," not to be outdone—and let me make it clear, I put "vote for Bush or die" in quotes. That is my statement. I am not attributing that to either of those individuals. So we have a situation where this has become a standard charge in the campaign at the highest levels.

There was a time in American politics when people were circumspect about even raising the issue of the fact that the former Governor of Illinois, Adlai Stevenson, had been divorced. In the 1950s, it was not really considered to be appropriate to raise that in the national debate, although there were certainly a lot of rumors and murmuring in the background.

Now we see the debate on the Presidential level reaching what I think are new depths, where at the highest levels questions are being raised as to whether JOHN KERRY would, in fact, defend the United States against a terrorist attack. I think that is a troubling development.

These are not the only statements that have been made. This morning on the Fox News Channel one of my colleagues, whom I work with on a regular basis, Senator HATCH of Utah, raised the same issue. Others have as well.

We saw in the debate last Saturday where John Thune, a former Congressman of South Dakota, was debating Senator TOM DASCHLE, the Democratic minority leader. In the course of their debate, he argued that the fact TOM DASCHLE had been critical of the Bush administration's policies in Iraq "emboldened the enemy." John Thune said that TOM DASCHLE's words emboldened the enemy.

What we have reached is the point where any criticism of our foreign policy leads to the charge that we are not being patriotic, leads to the charge that we would not stand up to defend America, and leads to the charge that in some respects the terrorists would be emboldened by those comments and our troops would be demoralized.

So what does that tell us? If Members of the Senate on either side of the aisle stand up and are critical of our policy in Iraq, are they to be targeted then as somehow selling out America, somehow guilty of traitorous comments? That is what we can draw from these comments made by Republican leaders as well as Republican candidates.

Yet Senator HARKIN made a statement earlier in the day which noted the obvious. Even Republican Senators are being critical today of our policy in Iraq. This last Sunday, Senator CHUCK HAGEL, a Republican of Nebraska, said, in reference to Iraq: The fact is, we are in trouble. We are in deep trouble in Iraq.

Do we embolden the enemy by being critical of our policy in Iraq? I do not think so. I think it is part of the normal political discourse which one expects in a democracy.

Similarly, Senator RICHARD LUGAR, the distinguished chairman of the Foreign Relations Committee, a friend of mine and colleague from the State of Indiana, criticized what he called the incompetence in the administration that has resulted in the failed Iraq reconstruction effort.

Does he embolden the enemy, demoralize the troops, by pointing out these shortcomings in American foreign policy? He is a Republican Senator. I have